

MIOSHA

Michigan Occupational Safety and Health Administration (MIOSHA)
Department of Licensing and Regulatory Affairs (LARA)

AGENCY INSTRUCTION

DOCUMENT IDENTIFIER:

MIOSHA-COM-05-2R5

DATE:

September 12, 2018

SUBJECT: Abatement Assurance and Follow-up Inspection Procedures

- I. Purpose. To establish procedures when obtaining and reviewing abatement, issuing Failure to Submit Notification of Abatement (FSNA) citations, initiating follow-up inspections, and Failure-to-Abate (FTA) notices.
- II. Scope. This instruction applies to compliance inspections conducted by the Construction Safety and Health Division (CSHD) and the General Industry Safety and Health Division (GISHD).
- III. References.
 - A. Administrative Rules for MIOSHA Safety and Health Standards, Part 13. /R408.22301 et seq., [Inspections and Investigations, Citations and Proposed Penalties](#).
 - B. Agency Instruction MIOSHA-COM-04-2 [Appeal and Settlement Processes for MIOSHA Enforcement Divisions](#), as amended.
 - C. [Michigan Occupational Safety and Health Act](#), R408.1001 et seq., P.A. 154 of 1974, as amended.
 - D. [MIOSHA Field Operations Manual \(FOM\)](#), as amended.
- IV. Distribution. MIOSHA Staff; Federal OSHA; S-drive Accessible; MIOSHA Messenger; and Internet Accessible.
- V. Cancellations. This instruction cancels all previous versions of this instruction.
- VI. History. History of previous versions include:

MIOSHA-COM-05-2R4, August 22, 2018
MIOSHA-COM-05-2R3, August 7, 2014
MIOSHA COM 05 2R2, August 10, 2010
MIOSHA COM 05 2R, December 9, 2005
MIOSHA COM 05 2, September 23, 2005
- VII. Next Review Date. To be reviewed in five (5) years from date of issuance.
- VIII. Contact. [Lawrence Hidalgo](#), Jr., Director, CSHD, [Adrian Rocskay](#), Director, GISHD.
- IX. Originator: Barton G. Pickelman, Director
- X. Background. MIOSHA seeks to have hazards abated by the employer to prevent future harm to employees. This instruction was developed to combine Agency Instruction MIOSHA-COM-05-2 Failure to Submit Notification of Abatement, as amended, and Division Instruction GISHD-COM-07-1 Abatement Assurance and Follow-up Inspection Procedures, as amended, into one procedure. This instruction will provide guidance on

how MIOSHA employees are to implement different scenarios. This will help with consistency within the Agency and ensure that hazards are being abated by employers.

XI. Significant Changes.

- A. Significant Change as of September 12, 2018. This instruction provides guidance on the enforcement of abatement requirements. Scenarios with guidance are detailed for consistency (Section XV). This includes guidance on issuing FSNA citations and assigning Follow-up inspections. GISHD and CSHD may only issue citations for FSNA, Rule 1349, for “other-than-serious” violations.
- B. Significant Changes as of August 22, 2018.
 - 1. Abatement requirements, processing, and reviewing abatement, which was once captured in a flow chart, is explained in detail contained within this instruction in Sections [XII.](#), [XIII.](#), and [XIV.](#)
 - 2. This instruction further explains abatement ([Section XII. B](#)) for citations originally classified as “serious,” “repeat serious,” “repeat other-than-serious,” “fail-to-abate,” “willful serious,” “willful other-than-serious” or “egregious.” Examples of abatement documentation are provided.
 - 3. This instruction further explains abatement ([Section XII. C](#)) for citations originally classified as “other-than-serious.” Examples of abatement documentation are provided.
 - 4. A copy of the Corrective Action Worksheet (CAW) is to be placed in case files for CSHD cases with violations. ([Section XII. D](#)) This is optional in GISHD.
 - 5. This instruction includes submittal of abatement through the Penalty Reduction Agreement (PRA) system. ([Section XII. E](#))
 - 6. This instruction provides guidance for reviewing of abatement documentation ([Section XIII](#)). This includes how to date-stamp electronic submissions (if not already date-stamped).
 - 7. Distinction between health and safety files has been eliminated regarding the reviewing of abatement documentation. ([Section XIII](#))
 - 8. Section [XIV. A](#) explains the conditions that are to be satisfied prior to requesting abatement documentation.
 - 9. Submitted abatement documents will be deemed satisfactory or unsatisfactory and will be documented in the case file. All abatement documentation is to be placed in the case file.
 - 10. This instruction provides guidance for requesting abatement documentation and scenarios on how to appropriately handle unsatisfactory abatement documentation sent into MIOSHA for review. ([Section XIV](#))

11. Within 30 calendar days from the abatement due date, the administrative support staff is to mail the FSNA letter to the employer. ([Section XIV. C](#))
12. Follow-up timelines are distinguished between GISHD (30 days) and CSHD (21 days) when the employer does not respond to requests for abatement. Under Section XV, the requirements of the enforcement of abatement requirements is detailed. This includes the issuing of an FSNA citation per Rule 1349(1) of Part 13, Inspections and Investigation, Citations and Proposed Penalties, assigning of follow-up inspections.
13. Follow-up inspections may be conducted to verify engineering controls are adequate for worker safety and health. ([Section XV. B](#))
14. The safety officer/industrial hygienist (SO/IH) is to conduct a follow-up inspection in accordance with the FOM Inspection Priority. ([Section XVI. A](#))
15. Administrative support is to send the FTA notification to the employer via certified mail. ([Section XVI. E](#))
16. Further instruction is provided for follow-up inspections upon the discovery of new violations. ([Section XVI. F](#))
17. MIOSHA SharePoint has instructions for FTA Notifications. (Section [XVI. G](#))
18. Follow-up inspections are to be entered into OSHA Information System (OIS) as per Appendix G. (Section [XVI. G](#))
19. Guidance is provided on conducting follow-up inspections. (Section [XVI.](#))
20. CSHD will begin conducting follow-up inspections. (Section [XVI.](#) and [XVII.](#))
21. Under Section [XVI](#), administrative support staff is to send the FTA Notifications to the employer via certified mail, new violations discovered during the follow-up inspection will be issued under a companion/concurrent inspection, and the follow-up will be entered into OIS.
22. Guidance is provided related to mobile jobsites. Due to the nature of construction operations, which are typically mobile, specific instructions have been provided to attempt to gather abatement on mobile jobsites. ([Section XVII.](#))
23. Closed files will be kept in Lansing. ([Section XVIII.](#))
24. Deleted language regarding information for when an employer does not respond to a telephone call and what information to leave on the voicemail has been removed. (This should still be documented as an attempted contact. Reference Section [XIV.](#))
25. The CAW is contained in [Appendix A](#).

26. [Appendix B](#) (Flow Chart - GISHD) has been revised to reflect changes in this instruction.
27. [Appendix C](#) is a flow chart that has been compiled from instruction for CSHD.
28. [Appendix D](#) is the Failure to Submit Notification of Abatement Letter. This is to be used by GISHD and CSHD.
29. [Appendix E](#) is the cover letter used by administrative support staff to send the new violation to the employer via certified mail. This is to be used by GISHD and CSHD.
30. [Appendix F](#) has been added for step-by-step instructions for processing FTA Notices in OIS for MIOSHA.

XII. Abatement.

- A. Employers are required to notify MIOSHA when they become compliant with a MIOSHA citation per Administrative Part 13 Rule 1349. Abatement must be adequate to ensure the citation item has been corrected.
- B. Abatement for citation items originally classified as “serious,” “repeat serious,” “repeat other-than-serious,” “fail-to-abate,” “willful serious,” “willful other-than-serious,” or “egregious,” require abatement documentation as deemed appropriate by the issuing division. An example of abatement documentation for these violation classifications is a detailed description of how the violation was abated along with the following documentation:
 1. Work orders or an invoice indicating the corrective work has been done.
 2. Photographs of the abated conditions.
 3. Other forms of conclusive evidence that the employees are no longer exposed to the hazard.
- C. For citation items classified as “other-than-serious,” a signed copy of the citation item or written confirmation indicating the item has been abated is acceptable documentation of abatement. The abatement for “other-than-serious” should include:
 1. Inspection number, citation, and item number for each violation.
 2. A statement that the violation was abated.
 3. Date of abatement.
 4. A signature or the name of the person certifying compliance.
- D. A copy of a CAW is to be mailed out with the citation packets in CSHD (See [Appendix A](#)). This form may be used for GISHD for inspections with other-than-serious violations only.
- E. Employers may submit abatement by mail, fax, hand-delivery, PRA system, or e-mail.

- XIII. Procedures for Reviewing Abatement Assurance Documentation. See [Appendix B](#) for a flow chart for abatement documentation for GISHD and [Appendix C](#) for a flow chart for abatement documentation for CSHD.
- A. Abatement, if not electronically date-stamped, will be date-stamped with the date it was received in the division and placed in the case file.
 - B. For abatement documentation sent electronically, a copy of the e-mail(s) and any attachments will be printed and placed in the case file.
 - C. The abatement and case file are given to the appropriate abatement staff for review.
 - D. Abatement is reviewed as it is received, item-by-item, without waiting until complete abatement has been received for all citation items of the inspection.
 - E. If there are multiple inspections at a single workplace, abatement reviews should be coordinated; e.g., when multiple inspections are initiated at the same facility simultaneously and the citations are issued concurrently.
 - F. Abatement staff will document whether abatement is acceptable or not in the case file.
 - G. Case files that have been found to have satisfactory abatement documentation will be closed following division procedures.
 - H. MIOSHA staff will review each file that has become a final order of the Board to determine if the case file contains adequate abatement for the citation items issued.
- XIV. Procedures for Requesting Abatement Documentation. All contact and correspondence with the employer is to be documented on the diary sheet and maintained with the case file.
- A. Requests for abatement documentation will not be initiated unless one of the following conditions are satisfied:
 - 1. A citation item has become a final order of the Board.
 - 2. The abatement due date for a citation item has passed.
 - 3. The division has received no abatement or has received only partial or inadequate documentation.
 - B. If the employer submits unsatisfactory abatement, the abatement staff is to immediately telephone or email the employer and explain what additional or corrected information is needed.
 - 1. The employer must be asked to submit requested abatement by e-mail, fax, via the online PRA abatement e-tool if they have an active PRA request, or mail immediately.
 - 2. If satisfactory abatement has not been received within two (2) weeks of contact, the respective division will send an FSNA letter. See [Appendix D](#)

for a sample of the letter to be used. Abatement staff will follow steps beginning with C. 2 below.

- C. If abatement documentation is not received by the abatement due date:
1. Within 30 calendar days from the abatement due date, the administrative support staff is to mail the FSNA letter to the employer. A copy of the FSNA letter is placed in the case file.
 2. In GISHD, if no response is received from the employer within 30 calendar days after the date the FSNA letter is mailed, the abatement staff will telephone the employer.
 3. In CSHD, if no response is received from the employer within 14 calendar days after the date the FSNA letter is mailed with an additional CAW (Appendix A), the case file is to be placed in the abatement cubicle. The case file will be marked on the diary sheet of the day it was placed there. The abatement staff will contact the employer via telephone and/or email.
 - a) The abatement staff has ten (10) working days to contact the employer.
 - b) From the date of contact, the employer will have 14 calendar days to submit satisfactory abatement.
 - c) If satisfactory abatement is not received after the measures taken in this subsection, continue to Section XIV. D.
- D. In response to XIV. B. and XIV. C. if the employer submits unsatisfactory abatement documentation in response to the FSNA letter, the abatement staff is to immediately telephone or email the employer and explain what additional or corrected information is needed.
1. The employer must be asked to submit requested abatement immediately.
 2. If satisfactory abatement has not been received within two (2) weeks of the telephone call or email, see Section XV. of this instruction.
 3. Staff should provide abatement assistance when necessary (e.g., verbal, mailing the employer a sample written program, or information sheet), set new deadlines, and if necessary, contact higher ranking officials in the employer's organization.
 4. During the last contact with the employer, staff must inform the employer they will receive a Rule 1349 citation with a monetary penalty if the documentation of abatement is not received by the division within the time period established or subject to a follow-up inspection with the possibility of FTA notice and penalties.
- XV. Enforcement of Abatement Requirements. If satisfactory abatement is not received, after the above steps have been followed, the FSNA citation can be issued to the employer or a follow-up inspection will be initiated with the possibility of FTA notice and penalties.

- A. Issuing an FSNA citation per Rule 1349. Rule 1349 citations can only be issued for “other-than-serious” violations. They may be issued without conducting a follow-up inspection. The following applies when a Rule 1349 citation is issued:
 - 1. Because a Rule 1349 citation does not address a specific hazard in the workplace, there is no need to contact the employees/employee representative prior to issuance.
 - 2. A Rule 1349 citation is always issued under the original inspection number in continuous sequence of the original inspection citation items.
 - 3. A letter explaining why a Rule 1349 violation is being cited for FSNA will be mailed to the employer along with the citation. See [Appendix E](#).
 - 4. A Rule 1349 citation will be classified as “other-than-serious.” If more than one violation of Rule 1349 exists (i.e., the employer has not sent abatement for several citation items), there will still be just one citation item for Rule 1349.
 - 5. The FSNA penalty amount will be calculated, as per the FOM.
 - 6. Administrative support staff is to send the new violation to the employer via certified mail.
 - 7. A signed copy of the Rule 1349 violation or written documentation stating that the original citation item(s) has been abated is acceptable documentation of abatement for items classified as “other-than-serious.”
- B. Assigning a Follow-up Inspection.
 - 1. If the employer does not respond to requests for abatement and does not provide appropriate abatement within 30 days after the final request, a supervisor may assign a follow-up inspection.
 - 2. Follow-up inspections may be assigned for all fatalities, willful, egregious, and high gravity serious violations, regardless of abatement received unless the condition was abated during the time of the inspection.
 - 3. Follow-up inspections may be conducted to verify engineering controls are adequate to ensure worker health and safety.
 - 4. In addition, the division has the right to conduct follow-up inspections on a random basis or whenever it is deemed necessary.

XVI. Conducting the Follow-up Inspection.

- A. The SO/IH is to conduct the assigned inspection in accordance with the FOM priority schedule.
- B. The SO/IH will propose an FTA Notification for all violations that are still not abated at the time the follow-up inspection is initiated. Any exceptions must be approved by the appropriate supervisor.

- C. The SO/IH will inform the employer at the closing conference whether an FTA Notification is proposed due to unabated citation items.
- D. Refer to the FOM for instructions on writing an FTA Notification and calculating FTA penalties.
- E. Administrative support staff shall send the FTA Notification to the employer via certified mail.
- F. If new violation(s) are discovered during the follow-up inspection, they will be issued under a companion/concurrent inspection number, not under the follow-up inspection.
- G. Follow-up inspections will be entered into OIS per [Appendix F](#). These instructions are also available on SharePoint.

XVII. Mobile Jobsite Follow-up Inspections.

- A. The SO/IH is to travel to the location where the original violations occurred, unless there is knowledge that the jobsite is no longer active.
- B. Once at the jobsite, the SO/IH is to attempt to discover if work is being conducted by the employer related to the previous citations.
 - 1. If it is discovered that the employer is not at the site performing work, the SO/IH is to drive to the mailing address, registered address, and/or best-known location for the employer. If the SO/IH makes contact with the employer, the SO/IH will determine the location of a current jobsite to conduct an inspection, if possible. If no on-site contact is made, the SO/IH will call the employer to schedule a meeting. If these measures are unsuccessful, the SO/IH will call their supervisor for further instruction. All of the above measures to contact the employer are to be documented on the narrative for the respective case file.
 - 2. For construction operations, some jobsites may be easier than others to determine if work is being conducted; i.e., residential construction or road construction. Some construction jobsites will be more difficult, such as industrial work operations, or commercial buildings where various contractors are working. If construction work is being performed on the jobsite, the SO/IH is to make contact with the employer and conduct the inspection. If the SO/IH is unsure if the employer is still at the jobsite, the SO/IH is to make contact with the controlling contractor at the jobsite, typically the general contractor, to determine if work is being conducted at the site.
 - 3. For construction operations, the SO/IH will bring a copy of the original citations and a copy of CAW - [Appendix A](#) with them to the jobsite to have a reference of the issues discovered previously. The SO/IH will have the employer complete the CAW. The abatement will be turned into their supervisor for closing of the original case file.

XVIII. Closing Case Files.

- A. When acceptable abatement is received by the issuing division for all citation items and the penalties paid, the file will be closed in OIS. The case file “close date” is the date that MIOSHA received the acceptable abatement from the employer for the last abated citation item(s) or the date that the final payment was received, whichever is later.
- B. The issuing division has the authority to administratively close a case file when abatement and/or penalties have not been received; e.g., the company is out of business. Approval from the division director will be required. The reasons for administratively closing must be documented in the case file.
- C. All closed case files will be kept in Lansing.

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Abatement Assurance and Follow-up Inspection Procedures

Appendix A

Corrective Action Worksheet

Inspection Number: _____

Optional Report Number: _____

Company Name: _____

Inspection Site: _____

Issuance Date: _____

List the specific method of correction for each of the items on this citation in this package that does not read "Corrected during Inspection" and return to:

MIOSHA Construction Safety and Health Division, 530 West Allegan St, PO Box 30645, Lansing, MI 48909

MIOSHA General Industry Safety and Health Division, 530 West Allegan St, PO Box 30644, Lansing, MI 48909

EXAMPLE:

Citation Number: 1 and Item Number: 1 was corrected on: 6/3/16

By (Method of Correction): Item was corrected by installing the proper fall protection. Our employees have been reinstructed and the job is completed.

Citation Number: _____ and Item Number: _____ was corrected on: _____

By (Method of Correction): _____

Citation Number: _____ and Item Number: _____ was corrected on: _____

By (Method of Correction): _____

Citation Number: _____ and Item Number: _____ was corrected on: _____

By (Method of Correction): _____

Citation Number: _____ and Item Number: _____ was corrected on: _____

By (Method of Correction): _____

Citation Number: _____ and Item Number: _____ was corrected on: _____

By (Method of Correction): _____

I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement.

Signature: _____ Date: _____

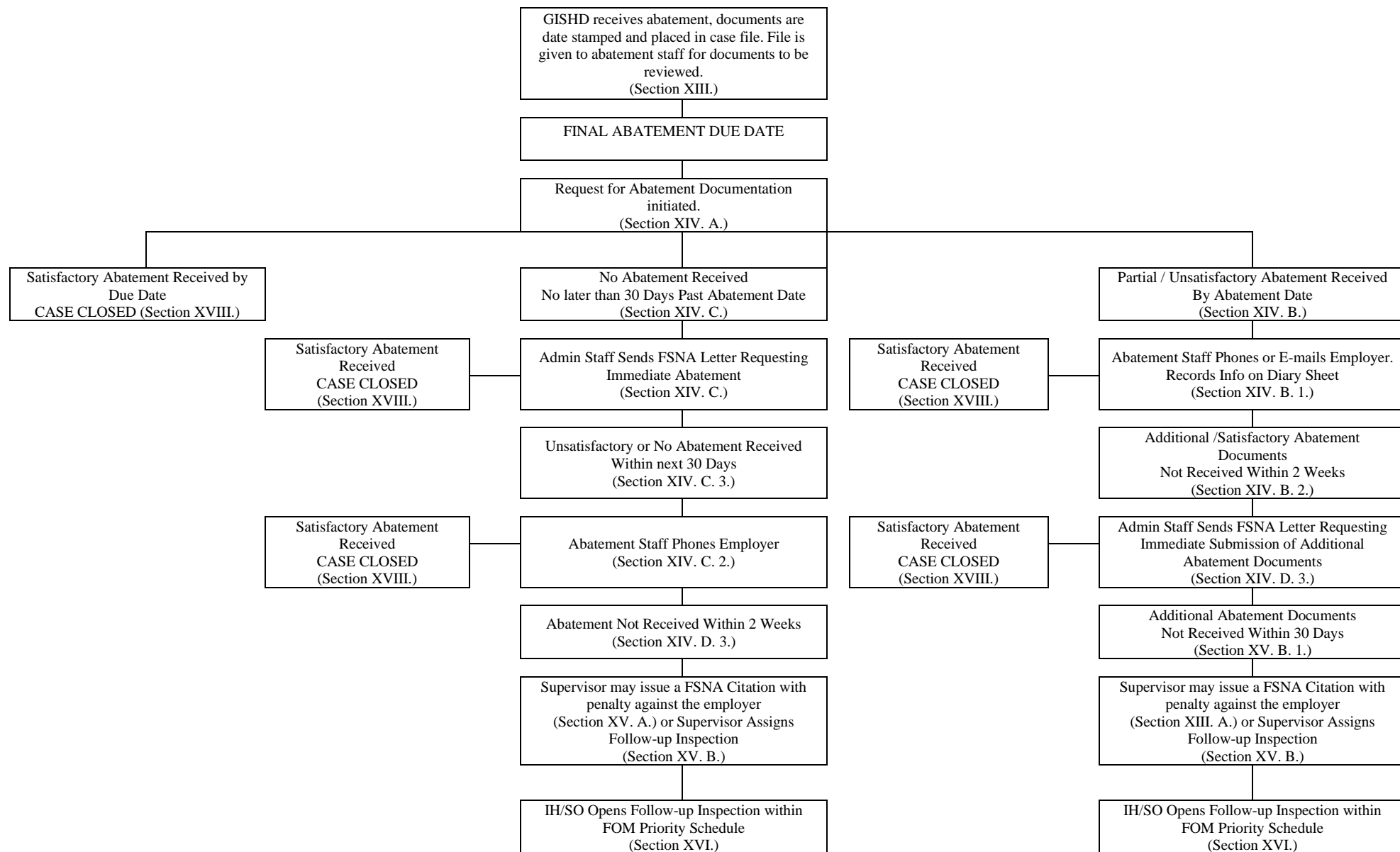
Printed Name: _____ Title: _____

NOTE: Public Act 154, Rule 408.1035a(7) states: A person who knowingly makes a false statement, representation, or certification in an application, record, report, plan, or other document filed or required to be maintained pursuant to this act, or who fails to maintain or transmit a record or report as required under section 61, is guilty of a misdemeanor and shall be fined not more than \$10,000.00, or imprisoned for not more than 6 months, or both.

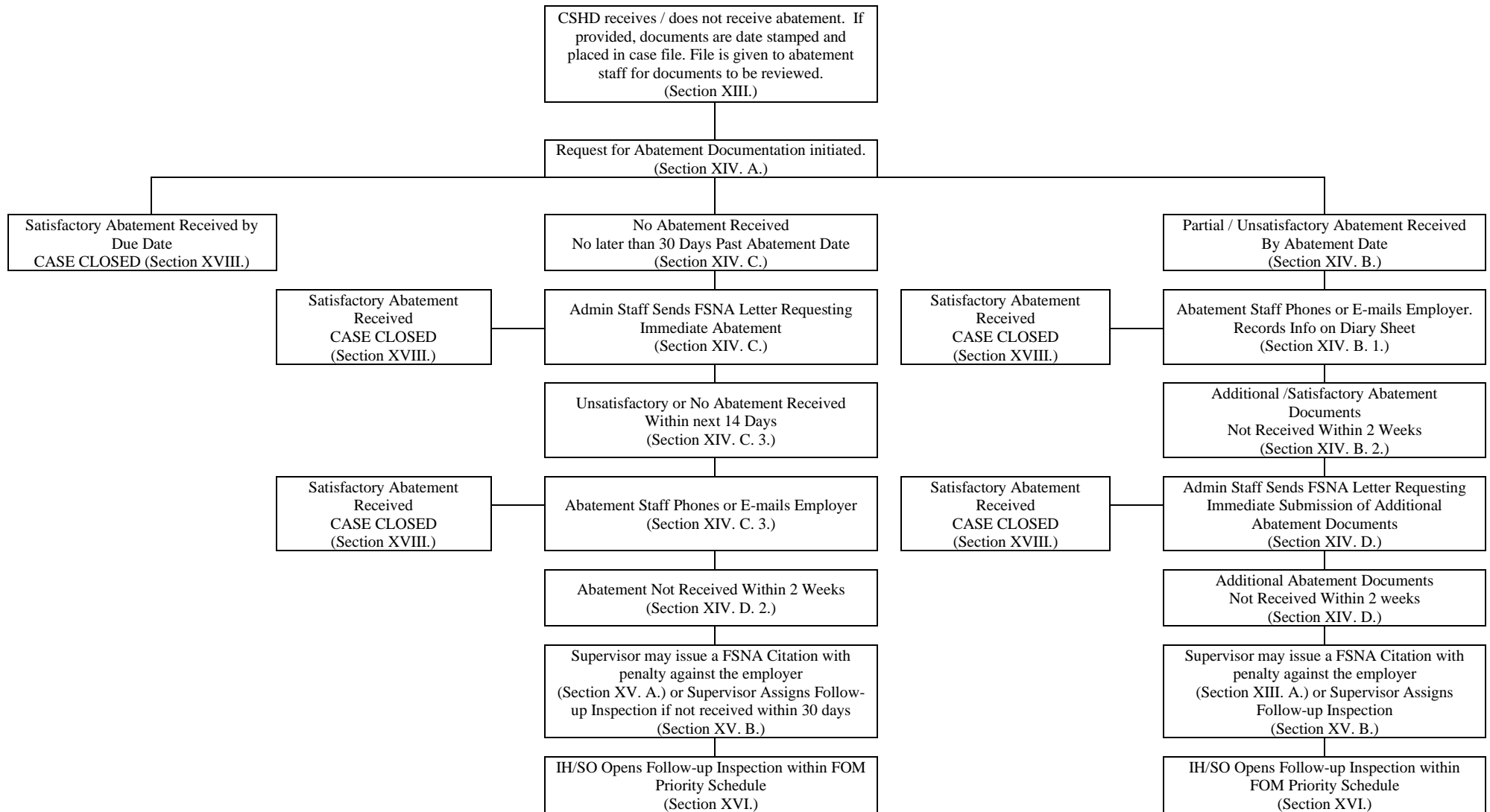
POSTING: A copy of the Corrective Action Worksheet should be posted for employee review.

Appendix B

Flow Chart for GISHD



Appendix C Flow Chart for CSHD



Appendix D
Failure to Submit Notification of Abatement Letter

Date

Name of Employer
Street Address
City, State, ZIP code

FAILURE TO SUBMIT NOTIFICATION OF ABATEMENT

INSPECTION #:

INSPECTION DATE(S):

CITATION #:

ITEM(S) #:

The Michigan Occupational Safety and Health Act, Act 154 of the Public Acts of 1974, Section 33(3), requires that the employer to whom a citation is served, notify the appropriate department of compliance. You are advised that acceptable notification of abatement on the above listed violation(s) has not been received by our department.

The above violation(s) has become a final order of the Board of Health and Safety Compliance and Appeals and is no longer eligible for an appeal or an extension of the abatement without approval from the Board.

IMPORTANT

Failure to submit notification of abatement within seven days could result in a follow-up inspection. A follow-up inspection may result in issuance of a Failure-to-Abate (FTA) Notification for unabated items. FTA notices carry a penalty of up to \$7,000.00 per day. In addition, repeat or willful violations may be cited with penalties of up to \$70,000.

In addition, Executive Order Number 2003-1 requires that contractors and vendors doing business with the State of Michigan be in compliance with State and Federal Law. Willful and/or persistent violation of the Michigan Occupational Safety and Health Act, Act 154 of 1974 as amended, may result in the disbarment of a contractor or vendor from being awarded a contract for the provision of goods and services to the State of Michigan for a period of up to eight (8) years.

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Abatement Assurance and Follow-up Inspection Procedures

Notification of abatement may be accomplished by the following methods:

For other-than-serious (OTS) violations: Submitting to the department, signed and dated, the notification of abatement copy of the citation or by certifying in writing that the above violations have been corrected.

For all violations originally classified as Serious (S), Willful (W), or Repeat (R), violations: Providing evidence of abatement such as photographs, work orders, equipment bills, or other conclusive evidence that your employees are no longer exposed to the cited hazard.

In the documentation that you submit, please refer to the inspection number, citation number, and item or sub-item number being abated. If you need additional information, please contact me at {phone number}.

Sincerely,

Name of Safety or Health Supervisor
Job title

Int: Int

APPENDIX E
Cover Letter for FSNA

Date

Employer Name
Employer's Address
City, State, ZIP code

Dear Company Representative:

Enclosed is a newly issued citation for your company's failure to submit required documentation of abatement for Citation # and Item #. Abatement is also required for all citations issued under this inspection. This citation pertains to Inspection #. This inspection was conducted on (date of inspection) at:

Site address

If you have any questions regarding this notification, or if you would like a copy of the originally issued citations associated with the inspection, please contact the *[insert name of division]* at *[insert division phone number]*.

Sincerely,

Name, Title
Division

Int: Int

Appendix F

Processing Failure-to-Abate (FTA) Notices in OIS for MIOSHA

(REV 10/3/2016)

Introduction:

FTA notices are additional penalties issued as the result of an employer not correcting a citation item or items issued during a previous inspection. In OIS you start the process in the follow-up inspection, however, the Notice is generated in the original inspection. The post Notice processes such as the informal conference, contest, and debt collection are also done in the original inspection.

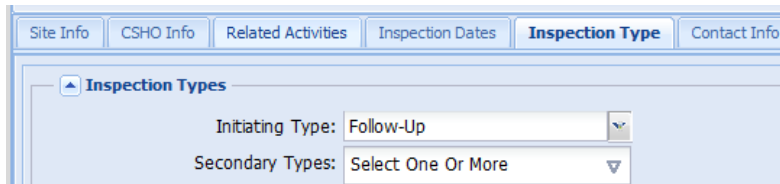
Pre-conditions to Issue an FTA Notice for a citation item:

- The citation item was issued in OIS
- The citation item is a Final Order and the FOD is entered in OIS
- The citation item is past the abatement date
- The citation item is not marked as abated in OIS

Entering the follow-up inspection

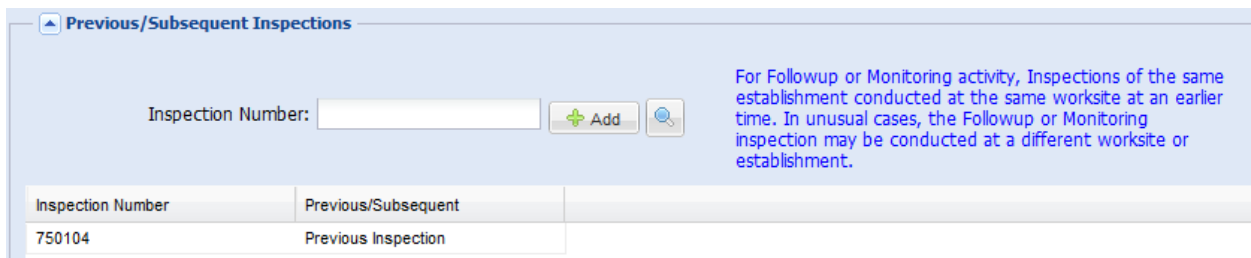
Enter the follow-up inspection the same as you would for any MIOSHA inspection but be sure to follow these specific directions for follow-ups and FTAs.

1. Enter the inspection type as “Follow-up” in the initiating or secondary type as illustrated below.



The screenshot shows the 'Inspection Type' tab in the OIS system. It contains two dropdown menus: 'Initiating Type' which is set to 'Follow-Up', and 'Secondary Types' which is set to 'Select One Or More'.

2. After entering the Inspection type, enter the original inspection(s) number(s) on the Related Activity tab, Previous/Subsequent Inspections section as illustrated below.



The screenshot shows the 'Previous/Subsequent Inspections' section. It includes a text field for 'Inspection Number' containing '750104', an 'Add' button, and a table with the following data:

Inspection Number	Previous/Subsequent
750104	Previous Inspection

There is also a blue text note on the right: 'For Followup or Monitoring activity, Inspections of the same establishment conducted at the same worksite at an earlier time. In unusual cases, the Followup or Monitoring inspection may be conducted at a different worksite or establishment.'

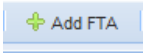
Please Note: When entering the follow-up inspection, you should use the same establishment (establishment ID) in most cases.

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Abatement Assurance and Follow-up Inspection Procedures

Entering FTA Violation Information

1. Navigate to the Violation tab in the **follow-up** inspection.



2. Select  which is located on the bottom of the violation summary screen. The system will then display a list of the eligible Citation Items from the original inspection(s) to select as illustrated below:

Select Violation(s) to create FTA Violation(s)

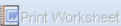
List of Violations from Previous type related Inspection of the current Inspection. These Violations are

- 1) Past Abatement Due Date with the entry date of Current Inspection.
- 2) Final Order Status (Final Order Date < Entry date of Current Inspection).
- 3) Abatement Status are Not 'Quick Fix' or 'Corrected During Inspection'.












<input type="checkbox"/>	Inspection ID	Citation ID	Opti Num	Type	Standard	Penalty	Issuance Date	Final Order Date	Abate Due Date	Doc Req...	Date Abated	Status
<input type="checkbox"/>	750104	1-1		Serious	OSH ACT ...	5400.0	06/11/2012	07/06/2012	06/28/2012	N		Final
<input checked="" type="checkbox"/>	750104	1-2		Serious	1926.100(a)	3600.0	06/11/2012	07/06/2012	06/21/2012	N		Final
<input type="checkbox"/>	750104	1-3-a		Serious	1926.501(...	3600.0	06/11/2012	07/06/2012	06/15/2012	N		Final
<input type="checkbox"/>	750104	1-3-b		Serious	1926.503(...	0.0	06/11/2012	07/06/2012	06/21/2012	N		Final
<input type="checkbox"/>	750104	3-1		Other-th...	1904.7(b)(3)	630.0	06/11/2012	07/06/2012	06/19/2012	N		Final

3. Select the item(s) you wish to include in the FTA Notice, Save and the item will be listed on the violation summary screen as illustrated:

Event Processing 

<input type="checkbox"/>	Citation ID	Citation Type	Standard	Penalty	Issuance Date	Receipt Date	Final Order Date	Last Date To Contest	Abateme... Date	Abate... Doc Requi...	Date Abated	Conte...	Status	Abatement Status
<input checked="" type="checkbox"/>	1-2	FTA - Serious	1926.100(a)	2800					(Not Assi...	No	No	Draft		

Please note: The FTA Item is displayed in blue text. Although the item appears in the Violation Summary screen of the follow-up inspection, this is actually a link to the original inspection. Violation documentation, penalty calculation and Notice assembly will take place in the original inspection.

September 12, 2018

Abatement Assurance and Follow-up Inspection Procedures

- Please click on the FTA violation link illustrated above and the system will navigate to the violation summary screen for the original inspection as pictured below:

Violation Summary

Inspection Number: **750104** Establishment/DBA Name: **JRH Inspection Construction, Inc./ Test Establishment** Candidate For Follow Up: **No**
 All Items Final Order: **No** Final Order Date: **07/06/2012** Total Assessed Amount: **\$24210.00**
 Opening Conference Date: **06/01/2012** Case Closed Date: Total Paid Amount: **\$0.00**
 Total Balance Due: **\$24210.00**

Event Processing

Citation ID	Citation Type	Standard	Penalty	Issuance Date	Receipt Date	Final Order Date	Last Date To Contest	Abatement Date	Abate... Doc Requi...	Date Abated	Conte...	Status	Abatement Status
1-1	Serious	OSH ACT of 1970 Secti...	5400	06/11/2012	06/13/2012	07/06/2012	07/05/2012	06/28/2012	No		No	Final	
1-2	Serious	1926.100(a)	3600	06/11/2012	06/13/2012	07/06/2012	07/05/2012	06/21/2012	No		No	Final	
1-2	FTA - Serious	1926.100(a)	2800					(Not Assi...	No		No	Draft	
1-3-a	Serious	1926.501(b)(13)	3600	06/11/2012	06/13/2012	07/06/2012	07/05/2012	06/15/2012	No		No	Final	
1-3-b	Serious	1926.503(a)(1)	0	06/11/2012	06/13/2012	07/06/2012	07/05/2012	06/21/2012	No		No	Final	
1-4	Serious	1910.304(g)(5)	3780	06/11/2012	06/13/2012	07/06/2012	07/05/2012	(Quick Fix)	No	06/01/2012	No	Final	Quick Fix
2-1	Repeat - Ser...	1926.1053(b)(1)	7200	06/11/2012	06/13/2012	07/06/2012	07/05/2012	(Correcte...	No	06/01/2012	No	Final	Corrected D...
3-1	Other-than...	1904.7(b)(3)	630	06/11/2012	06/13/2012	07/06/2012	07/05/2012	06/19/2012	No		No	Final	

- At this point, the FTA violation is started and is saved in draft. You will need to open the item to the Violation Item tab. The standard listed is copied over from the original inspection. Click “Remove” and then “Search Standard” to update the standard to 408.22356(1), which is the Administrative Rule Part 13, Rule 1356(1).

The instance description should read as follows:

Within the period permitted for its correction, an alleged violation was not corrected, for which a citation was previously issued: On [insert original issuance date] under inspection number [insert original inspection number], citation [insert original citation number], item [insert original item number] was issued for an alleged violation of [insert original standard/rule title, part, and rule number], as follows:

[insert the original rule text]

[insert the original alleged violation description]

This item was not corrected for the following date(s): [insert the date(s) the violation has remained unabated].

- | Penalty Calculator | |
|---------------------------------|--------------|
| Citation Type: | FTA-Other |
| Standard: | 408.22356(1) |
| # Controlled by Employer: | 9 |
| Severity: | Low |
| Severity Justification: | |
| Probability: | Lesser |
| Probability Justification: | |
| Number of Times Repeated: | Select One |
| Gravity: | Low |
| Gravity Based Penalty amount: | 1000 |
| Multiplier: | 1 |
| Size: | Select One |
| Good Faith: | Select One |
| History: | Select One |
| Calculated Penalty: | 1000 |
| Proposed Penalty: | 500 |
| Current Penalty: | 500 |
| Proposed Penalty Justification: | FTA |

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